

ASSIGNED

No. **60877**

**AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JAN 30 1995

Returned to applicant for correction FEB 21 1995

Corrected application filed FEB 27 1995

Map filed 4/9/85 under 48976

The applicant Helms Family Trust

1475 E. Greg St.

Street and No. or P.O. Box No.

, of

Sparks

City or Town

Nevada 89431

State and Zip Code No.

, hereby make application for permission to appropriate the public

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground - Well #3
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.668 C.F.S. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Industrial (Gravel Operation)
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point NE 1/4 SW 1/4 Section 27, T20N, R22E, MDM
Describe as being within a 40-acre subdivision of public

or at a point from which the W 1/2 corner of said Section 27 bears N. 87° 11' W a
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
distance of 2,017.4 feet

6. Place of use All of Section 27, T20N, R22E, M.D.B. & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Install pumps and motors into wells. Connect
State manner in which water is to be diverted, i.e. diversion structure, ditches and
wells by common pipeline that will transport water to gravel processing.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$20,000.00 - Wells were drilled under previous cancelled permits
#48976 & 48977
10. Estimated time required to construct works 2 years
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 20 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be used at various transfer points of the operation to control dust
and air pollutants during movements of materials. Please refer to map #48976
on file with the State Engineer's office.

By s/Jerry L. Helms
1475 E. Greg St.
Sparks, NV 89431

Compared sm/jk cl/cms

Protested _____

APPROVAL
 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.668 cubic feet per second, but not to exceed 484.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1999

Proof of completion of work shall be filed before December 12, 1999

Application of water to beneficial use shall be filed on or before November 12, 2002

Proof of the application of water to beneficial use shall be filed on or before December 12, 2002

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed NOV 06 2002

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 12th day of November,

A.D. 1997

R. Michael Turnipseed, P.E.
 State Engineer

Abrogated By 689857-0.668
68861-T 0.668
69439 0.423

(PERMIT TERMS CONTINUED)

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

The total combined duty of water under Permits 60877 and 60878 shall not exceed 484.0 acre-feet annually.

